



GENERAL FIRE SAFETY REQUIREMENTS FOR ASSEMBLY OCCUPANCIES



The following requirements are enforced under the law

Delaware Code Title 16, Chapter 66 Section 6611

1. **EVACUATION OF BUILDING** {D.S.F.P.R. Part V, Chap. 1, 1-1.10}

Whenever an unfriendly fire occurs in any building, premises, or fire area of any kind, or upon the initiation of a fire alarm, all occupants shall evacuate the building, premises, or fire area immediately and shall not re-enter the building premises, or fire area unless permission is given by the Fire Chief or Fire Officer in charge of the scene.

2. **NOTIFYING THE FIRE DEPARTMENT** {D.S.F.P.R. Part V, Chap. 1, 1-1.6}

Whenever an unfriendly fire occurs in any building or on any premises of any kind, the owner, manager, occupant, or any person in control of such building or premises, upon discovery of an unfriendly fire, or evidence of there having been an unfriendly fire, even though it has apparently been extinguished, immediately shall cause notice of the existence of such fire, circumstances of same, and the location therefore to be given to the fire department. This requirement shall not be construed to forbid the owner, manager, or other person in control of the aforementioned building or premises from using all diligence necessary to extinguish such fire prior to the arrival of the fire department. No person shall make, issue, post, or maintain any regulation or order, written or verbal, which would require any person to take any unnecessary delaying action prior to reporting a fire to the fire department.

3. **MAINTAINING A FIRE HAZARD** {D.S.F.P.R. Part V, Chap. 1, 1-1.11}

No person shall knowingly maintain a fire hazard.

4. **NOTIFICATION OF FIRE DEPARTMENT OF INOPERATIVE FIRE SAFETY EQUIPMENT.** {D.S.F.P.R. Part V, Chap. 1, 1-1.14}

Persons owning, controlling, or otherwise having charge of any fixed fire extinguishing or fire warning system, or standpipe system shall notify the fire department and Office of the State Fire Marshal at any time such system or systems are inoperable or taken out of service. Both shall also be notified when service is restored.

5. **INTERFERENCE WITH FIRE PROTECTION EQUIPMENT.** {D.S.F.P.R. Part V, Chap. 1, 1-1.20}

No person shall render any portable or fixed fire extinguishing system device or any fire warning system inoperative or inaccessible, except as may be necessary during emergencies, maintenance, drills or prescribed testing.



GENERAL FIRE SAFETY REQUIREMENTS FOR ASSEMBLY OCCUPANCIES



6. **HAZARDOUS GAS IN BALLOONS** {D.S.F.P.R. Part V, Chap. 1, 1-1.18}

No person shall use any flammable, oxidizing, toxic, corrosive, or reactive gas to inflate balloons. Air and inert gases, such as helium and nitrogen, are not prohibited for this purpose.

7. **LIGHTING AND HEAT-PRODUCING EQUIPMENT** {D.S.F.P.R. Part V, Chap. 1, 1-4.2}

Proper clearances shall be maintained between heating and lighting equipment and ordinary combustibles in accordance with these Regulations. The State Fire Marshal shall designate proper clearances based on sound engineering judgment. Lighting and heating processes and equipment utilizing flammable or combustible liquids shall be designed in accordance with these Regulations.

8. **PORTABLE PROPANE GAS OR KEROSENE HEATERS** {D.S.F.P.R. Part 1, Modify NFPA 58, Chap. 5, 5.18.1.2}

The use of portable propane gas heaters or kerosene heaters of any type is prohibited from use within any enclosed area.

9. **COMBUSTIBLE DECORATIONS** {D.S.F.P.R. Part V, Chap. 1, 1-4.3}

Flammable or combustible materials shall not be used for decorative or display purposes in any part of a building occupied by the public in such quantity or manner so as to constitute a fire hazard unless such material is flame-proofed or fire retardant treated in a manner acceptable to the State Fire Marshal.

10. **CHRISTMAS TREES** {D.S.F.P.R. Part V, Chap. 1, 1-8.4}

Natural cut Christmas trees, including living trees in a balled condition with the roots protected by an earth ball, shall not be permitted in Assembly occupancies.

Natural cut Christmas trees are permitted if the Assembly occupancy is protected by an approved automatic sprinkler system.

Natural cut Christmas trees shall not be located near heating vents or other fixed or portable heating devices that could cause the tree to dry out prematurely or to be ignited.

In Assembly occupancies where natural cut trees are permitted, the bottom end of the trunk shall be cut-off at an angle at least one to two inches (1-2") above the end to help the tree absorb water. The tree shall be placed in a suitable stand with adequate water. The water level shall be checked and maintained on a daily basis. The tree shall be removed from the building immediately upon evidence of dryness.



GENERAL FIRE SAFETY REQUIREMENTS FOR ASSEMBLY OCCUPANCIES



Only UL listed electrical lights and wiring shall be used on Christmas trees and similar decorations.

Open flames such as from candles, lanterns, kerosene heaters, and gas-fired heaters shall not be located on or near Christmas trees or other similar combustible materials.

Artificial Christmas trees shall be labeled or otherwise identified or certified by the manufacturer as being “flame retardant “ or “flame resistive”.

Electrical lights are prohibited on metal artificial trees.

No Christmas tree shall be allowed to obstruct exits in any way or be located in corridors, exit ways, or other means of egress.

11. PRIMARY ENTRANCE / EXIT ESTABLISHED {D.S.F.P.R. Part VI, Chap. 6-6.2}

The primary entrance/ exit shall be the main entrance/exit for the place of assembly, as established by the State Fire Marshal. {D.S.F.P.R. Part VI, Chap.6-2.1}

The primary entrance/exit shall be of a width that accommodates two-thirds of the total occupant load. {101 LSC Chap. 12, 12.2.3.6.2} This requirement is for the following: (a) Bars with live entertainment (b) Dance halls (c) Discotheques (d) Nightclubs (e) Assembly occupancies with festival seating.

In assembly occupancies other than those listed above the main entrance/exit shall be of a width that accommodates one-half of the total occupant load. {D.S.F.P.R. Part VI, Chap. 6, 6-2.2}

The primary entrance/exit shall be at the level of exit discharge or shall connect to a stairway or ramp leading to a street.

Additional exits may be required as per The National Fire Protection Association 101 Life Safety Code.

12. METHOD OF ACCOUNTING FOR OCCUPANT LOAD {D.S.F.P.R. Part VI, Chap. 6, 6-3}

Where, in the opinion of the State Fire Marshal, a place of assembly appears to be near or at the maximum occupant load, the State Fire Marshal may require that the owner of the place of assembly provide a method of accounting for the number of people that may be in the place of assembly at any given time.

Once the State Fire Marshal has identified a place of assembly to fall within the provisions of this Regulation, the owner must maintain the method of



GENERAL FIRE SAFETY REQUIREMENTS FOR ASSEMBLY OCCUPANCIES



accounting for the occupant load for all hours of operation as established by the State Fire Marshal.

The method of accounting for occupant load shall be in place during such hours, as established by the State Fire Marshal at the primary entrance/exit to the place of assembly.

Whoever knowingly violates the regulation of exceeding the posted occupant load in the place of assembly shall be fined at least \$ 10.00, but not more than \$100.00 per person exceeding the posted occupant load as determined by the State Fire Marshal.

13. **RESPONSIBILITY TO PREVENT OVERCROWDING** {D.S.F.P.R. Part V, Chap. 1, 1-6.4}

The manager or person in charge of the premises shall be responsible for preventing overcrowding as specified by the State Fire Marshal.

At no time shall the posted occupant load, as established by the Office of State Fire Marshal, be exceeded within any building or premise.

No person shall fail to leave any premises, which are overcrowded when told to do so by the management of the premises or any authorized enforcement.

14. **CROWD MANAGERS** {LSC 101, Chap. 12, 12.7.6.2}

Assembly occupancies shall be provided with a minimum of one trained crowd manager or crowd manager supervisor. The crowd manager shall receive approved training in crowd management techniques. Where the occupant load exceeds 250, one additional trained crowd manager or crowd manager supervisor shall be provided at a ratio of 1 crowd manager or crowd manager supervisor for every additional 250 occupants, unless otherwise permitted by the following:

This requirement shall not apply to assembly occupancies used exclusively for religious worship with an occupant load not exceeding 2000.

The ratio of trained crowd managers to occupants may be reduced where, in the opinion of the State Fire Marshal, the existence of an approved sprinkler system and the nature of the event warrant.

15. **OBSTRUCTION OF AISLES AND PASSAGEWAYS** {D.S.F.P.R. Part V, Chap. 1, 1.6.5}

No person shall block, impede, or obstruct any aisle, passageway, hallway, lobby, foyer, or stairways leading to or from any entrance or exit required by law which will prevent, delay, hinder, or interfere with the free use of such



GENERAL FIRE SAFETY REQUIREMENTS FOR ASSEMBLY OCCUPANCIES



passageway by any person. Special security or security devices, which affect the exiting, shall be subject to the approval of the State Fire marshal.

16. **FIRE DRILLS** {LSC 101, Chap. 12, 12.7.7}

The employees or attendants and crowd managers of assembly occupancies shall be trained and drilled in the duties they are to perform in case of fire, panic, or other emergency to effect orderly exiting.

Employees or attendants and crowd managers of assembly occupancies shall be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment where provided.

17. **FIRE SUPPRESSION AND LIFE SAFETY** {D.S.F.P.R. Part III, Chap. 1, 1.3.1.4}

Fire sprinkler systems, kitchen hood suppression systems, fire alarm systems, portable fire extinguishers, emergency lighting and exit signs shall be in proper working condition at all times. An impairment of any system will require the owner or person in control of the premise to take corrective action. The Office of the State Fire Marshal may require compensatory measures.

If acceptable compensatory measures cannot be provided, then the State Fire Marshal may order the occupancy or portion of the occupancy vacated until the fire protection system is returned to service.

18. **REQUIREMENTS FOR THE SUBMITTAL OF PLANS** {D.S.F.P.R. Part I, Chap. 4, 4-1.1}

Any Assembly occupancy undergoing alteration, renovation, or remodeling is required to submit plans to the Office of the State Fire Marshal, Technical Services Division, in the county that the project is located. Plans will be reviewed for maintaining proper means of egress, occupant load and features of fire protection.

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